

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	
	§	
ADVANCED MODULAR POWER	§	CASE NO. 07-34646-H4-7
SYSTEMS, INC.,	§	(Chapter 7)
Debtor	§	
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WILLIAM G. WEST, TRUSTEE	§	
Plaintiff,	§	
	§	
	§	
DAVID HSU, individually and as agent	§	Adversary No. 08-3177
for INFORMATION AND COMPUTING	§	
TECHNOLOGY, INC., and	§	
INFORMATION AND COMPUTING	§	
TECHNOLOGY, INC.	§	
Defendants.	§	

TRUSTEE'S MOTION TO COMPEL AND FOR SANCTIONS

TO THE HONORABLE JUDGE OF THE COURT:

COMES NOW, WILLIAM G. WEST, Trustee ("Trustee") and files this his Motion to Compel and for Sanctions to compel the David Hsu, Information and Computing Technology, Inc. and AM Power Services, Inc. ("Defendants") to provide information and in support thereof would show the following:

1. On October 1, 2009, counsel for the Trustee served post judgment written discovery upon the Defendants. A true and correct copy of the discovery requests are attached hereto as Exhibit "A" ("Post Judgment Discovery") and incorporated herein by reference for all purposes.
2. The Defendants have failed and refused to answer the Post Judgment Discovery.
3. The information requested in the Post Judgment Discovery is necessary to the Trustee to administer the Debtor's Estate.

4. Pursuant to 11 U.S.C. § 105, the Court has the ability to compel the Defendants to such cooperation if necessary and sanction them for their discovery abuses. See FED.R.CIV.P. 69 (a)(2).

WHEREFORE, PREMISES CONSIDERED, WILLIAM G. WEST, Trustee requests that the Court set this matter for hearing and upon hearing hereof enter its Order sanctioning the Defendants for their failure to cooperate voluntarily with the Trustee, entering such sanctions as the Court deems appropriate including, but not limited to, monetary sanctions and entering its Order compelling the Defendants to provide the information to the Trustee as requested, and for such other and further relief as may be just and equitable.

Respectfully Submitted,

BY: /s/ Richard A. Simmons
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COUNSEL FOR WILLIAM G. WEST
CHAPTER 7 TRUSTEE

CERTIFICATE OF SERVICE

I, Richard A. Simmons, do hereby certify that on the 21st day of December, 2009, a true and correct copy of Trustee William G. West's *Trustee's Motion to Compel* was served to each person listed below using the following means:

1. Attorney for Appellants David Hsu, ICT, and AM POWER SERVICES, INC. (via email and fax);

Jeffrey W. Glass whose email address is: jeff@jeffglasslaw.com; and whose fax number is: (713) 789-7703.

/s/ Richard A. Simmons
RICHARD A. SIMMONS